



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGIONS
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Vicki Rutson, Chief
Section of Environmental Analysis
Surface Transportation Board
1925 K Street, NW
Washington, DC 20423

REPLY TO THE ATTENTION OF

**Re: STB Docket No. AB-55(Sub. No. 678X) CSX Transportation Rail Line
Abandonment in Clay County, Illinois, the Flora North Branch**

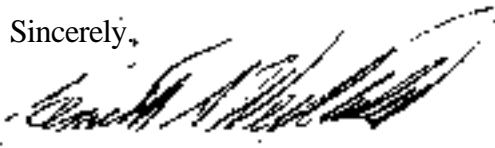
Dear Ms. Rutson:

The U.S. Environmental Protection Agency (US EPA) has received the CSX letter dated April 4, 2007 concerning a proposed abandonment of 0.86 miles of rail line track located in Clay County, Illinois, known as the Flora North Branch. This letter is provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality regulations, and Section 309 of the Clean Air Act, under which U.S. EPA reviews and comments on major federal actions, but we also have the discretion to review and comment on other environmental documents prepared under NEPA.

We determined from a cursory review of the materials provided in conjunction with our resources, that there are no apparent significant concerns meriting unique comment. We do request that our routine environmental issues, as indicated in the attached document, are addressed in your Environmental Analysis. {With reference to that sheet; 1-the crossing of Route 50 and other key streets within the City of Flora recommend attention to the first Concurrences bullet point.}

Although we do not expect to have further comment regarding this abandonment, we would appreciate receiving your EA and decisions for this project because we do reserve the right to reconsider undertaking further review if significant new data on the project is made available by the sponsoring agency or other interested parties. Feel free to contact me or my staff member Norm West, at 312-353-5692 or at west.norman@epa.gov, should any further questions regarding this project arise. Please address all future correspondence to US EPA regarding rail line abandonment in Region 5 to my attention.

Sincerely,


Kenneth A. Westlake, Supervisor
NEPA Implementation
Office of Enforcement and Compliance Assurance

Cc: Dave Geraci, Manager, Network Rationalization - J200, CSX Transportation Inc.,
500 Water Street, Jacksonville, Florida 32202-9928

U.S. EPA REGION 5



ENVIRONMENTAL COMMENTS FOR RAILWAY ABANDONMENT S

Rail line abandonment is a procedure which frees up assets, recycles materials and returns property to new uses. The process is normally carried out within a railroad right-of-way (ROW). However, most railroad tracks were laid before environmental issues became a consideration. We now recognize that track removal activities could have impacts if best management practices and site specific issues are overlooked.

When applying to the Surface Transportation Board (STB) for exemption from an extensive environmental review, the U.S. EPA Region S requests that your Environmental Report (ER) address the following issues in planning the abandonment so they can be reflected in the STB Environmental Analysis (EA).

Routine Procedures

- Whenever waters of the U.S. lie adjacent to the right-of-way (ROW) and at waterway crossing points, the ER should list what best management practices (BMP) will be specified to assure water resource protection during construction. Such precautions would include locating equipment staging areas, access-egress paths and piles of materials away from flood zone, wetland and runoff areas even within the ROW. Precautions can be designated to avoid even incidental spills, damage to area plants, dumping and discarding of construction related debris in these environmentally sensitive areas.
- Machinery maintenance and refueling should occur away from the environmentally sensitive areas, to minimize water, air and noise pollution.
- Any spills in the ROW, whether current or historic, should be indicated if they involved toxic or other environmentally significant materials. If the roadbed is to be removed or significantly disturbed, the appropriate state environmental agency should be consulted.
- Recycling of materials such as rail steel, electrical and signal housings, bridge work and other materials, which are to be removed from this ROW site, should be specifically documented in the ER. Culverts, pilings and small bridge abutments, like track and ties, are typically removed from above, using the rail or ROW bed as the operating platform. Disposition of larger abutments, which require breaking up for removal, are best addressed by consulting the appropriate state environmental agency to determine whether leaving them in place or removing them is preferred.
- In accordance with the Federal Insecticide, Fungicide, and Rodenticide Act, the final disposition of wood treated with creosote should be burial in a non-hazardous waste landfill, unless the state permits landscaping reuses or other handling procedures.

- Although not required by all states, we encourage restoring the natural ecosystem, such as reconnecting a wetlands area, restoring floodplain flows or replanting species-specific upland forest, to its former functional state. This should be coordinated with the specific state's natural resource agency, or equivalent agency.
- Future land use and legal standing for this property should be discussed in the ER. It would be appropriate to involve the local or state Planning / Zoning Office(s) along with non-governmental organizations, such as Rails to Trails, to discuss purchase and alternate uses, as well as responsibilities for future ROW maintenance. Such responsibilities might include prevention of invasive plants and derelict dumping, or sustained functioning of abandoned structures such as culverts, bridges, retaining barriers and embankments.
- Potential impacts of induced economic developments should always be indicated in the ER, and when Environmental Justice is a consideration. If this abandonment is one of a connected series of events along this rail line, such cumulative impacts need to also be addressed in the ER.

Concurrences

- Disposition, including final grade of all at-grade crossings, should be negotiated with the appropriate state, county or local Departments of Transportation.
- Long-neglected sections of track may have developed resource quality habitat for plants or animals. Conversely, they may have become a nursery for invasive species. Considerations of wildlife, habitats and endangered or threatened species should be addressed with the U.S. Fish and Wildlife Service and the appropriate state wildlife or environmental agency.
- Questions regarding soil and natural resource conservation and agricultural lands should be addressed to the U.S. Department of Agriculture's local Natural Resource Conservation Service office.
- Structures, artifacts and other objects within the ROW which might have historic, tribal or cultural significance should be identified and their handling negotiated with the State Historic Preservation Officer for National Historic Preservation Act compliance.

Permits

- Permits related to the Clean Water Act Section 402 (stormwater management and other water discharges) and Section 404 (discharge of dredged or fill material to waters of the U.S., including wetlands and floodplains) along with Mate Section 401 water quality certification, must be obtained from the state's agency managing water quality (for 402 and 401) and the Army Corps of Engineers (for 404) respectively.

Other environmental resource information for your project is available at these U.S. EPA websites:

- 1) Envirofacts Data Warehouse, <http://www.epa.gov/envko/>. includes capabilities of mapping EPA database information on specified locations, making inquiries about selected topics, and accessing EPA reports;
- 2) Surf Your Watershed, <http://www.epa.gov/surf/>. provides maps locating and identifying watershed information;
- 3) Enviromapper Superstore, <http://www.epa.gov/enviro/html/em/index2.html>. a GIS multi-datalayer mapping facility for many EPA actions and concerns.

We encourage use of these resources in assessing project impacts and preparing your ER.